16 ~~19~~. (Amended) A method of producing 5-methyl-(6S)-tetrahydrofolic acid with 2 theta values of 6.8, 10.2, 15.4 and 22.5 (Type III) comprising subjecting to sufficient thermal treatment at above 90°C, a crystalline calcium salt of 5-methyl-(6S)-tetrahydrofolic acid with 2 theta values of 6.5, 13.3, 16.8 and 20.1 (Type I).

17 ~~20~~. (Amended) A method of producing 5-methyl-(6S)-tetrahydrofolic acid with 2 theta values of 6.6, 15.9, 20.2, 22.5 (Type IV) comprising subjecting to sufficient thermal treatment at above 95°C, a crystalline calcium salt of 5-methyl-(6S)-tetrahydrofolic acid with 2 theta values of 6.5, 13.3, 16.8 and 20.1 (Type I).

REMARKS

Rejection Under 35 USC §112, first paragraph

Claim 12 is rejected under 35 USC §112, first paragraph for the recitations "crystallization is effective from the suspension," recited therein. It is alleged that the compound must be dissolved in order for it to be recrystallized. Applicants agree with the Examiner's statement. Claim 12 is intended to define embodiments wherein the crystalline salts are dissolved within the medium that contains undissolved materials. In referring to a "crystallization from a suspension" Applicants intend to define a crystallization wherein at no point a clear solution exists. In this procedure a portion of the starting material dissolves and then crystallizes such that the ratio between the starting material and crystalline product steadily shifts toward the crystalline product.

Rejection Under 35 USC §112, second paragraph

Claim 8 is rejected under 35 USC §112, second paragraph for its recitation of the phrase "from the resulted heated solution." It is alleged this phrase is indefinite. Applicants intend to define a two step process in claim 8. The first step is heating the starting material to a temperature above 60°C. This heating results in a transformation of the starting materials and does not necessarily provide a clear solution of the starting materials. The transformed material shows a lower solubility than the starting materials. The second step comprises crystallization of the dissolved transformed product. The temperature necessary for crystallization of the transformed product depends on its concentration in the solution.